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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/552,879	04/20/2000	John Carnahan	47004.000056	5010

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HUNTON & WILLIAMS  
INTELLECTUAL PROPERTY DEPARTMENT  
1900 K STREET, N.W.  
SUITE 1200  
WASHINGTON, DC 20006-1109

EXAMINER

CHENCINSKI, SIEGFRIED E

ART UNIT	PAPER NUMBER
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3628

DATE MAILED: 10/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/552,879

Applicant(s)

CARNAHAN ET AL.

Examiner

Siegfried E. Chencinski

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 20 April 2000.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4, 6, 7, 7/2
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### 1. MINOR INFORMALITIES

#### a) *Specification*

The abstract of the disclosure is objected to because of typographical errors.

- Page 3, line 19, "The invention will described with reference to ...". This phrase is grammatically incorrect.

Correction is required. See MPEP § 608.01(b).

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**2. Claims 1 & 11 are rejected** under 35 U.S.C. 102(e) as being anticipated by Levine et al. (US Patent 6,233,566 B1).

**Re. Claims 1 & 11,** Levine anticipates a system and method for multivariable comparison of financial information, comprising: a client interface to a user inputting weightable search information; and a search interface, communicating with the client interface, the search interface operative to interrogate at least one network-enabled information source according to the weightable search information (Col. 5, lines 55-56; Col. 6, line 22; Col. 21, lines 24-33; Weighted Results – Col. 22, lines 54-56; Col. 26, lines 8-9). Levine's loan inquiries are multivariable ("certain criteria" – Col. 8, lines 4-6. The search information is inherently weightable.).

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**Claims 2 & 12**, Levine anticipates a system and method wherein the client interface comprises a communications link for transmitting the weightable search information to a transaction server and transmitting the search results to the user (Col. 28, lines 27-42).

**Claims 3 & 13**, Levine anticipates a system and method wherein the client interface comprises a graphical user interface for displaying at least one of the weightable search information, the search results, and graphical coding objects associated with the search results (Col. 6, lines 52-53, Fig's 7-14).

**Claims 4 & 14**, Levine anticipates a system and method wherein the client interface comprises a network-enabled connection to a client workstation (Col. 28, lines 27-42).

**Claims 5 & 15**, Levine anticipates a system and method wherein the network-enabled connection comprises an Internet connection (Col. 6, lines 34-38, Fig's 2A & 2B).

**Claims 6 & 16**, Levine anticipates a system and method wherein the weightable search information comprises multivariable financial information (Col. 22, lines 54-56; Col. 26, lines 8-9).

**Claims 7 & 17**, Levine anticipates a system and method wherein the weightable search information comprises weighting information to be applied to the multivariable financial information to generate a composite results score (Col. 2, lines 38-45).

**Claims 8 & 18**, Levine anticipates a system and method wherein the weightable search information is modifiable to be applied to the search results (Beginning a new search using modified criteria is an inherent capability of Levine).

**Claims 9 & 19**, Levine anticipates a system and method wherein the search interface comprises a connection to a relational database (Col. 16, line 48; Col. 27, line 43).

**Claims 10 & 20**, Levine anticipates a system and method wherein the client interface comprises at least one of keyboard input, voice input, touch pad input, voice output, pointing device input, speech input, biometric input, and graphical output at the client workstation (Client interface devices are inherent components of Levine's system and method).

### ***Conclusion***

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3. Any inquiry concerning this communication or earlier communications from the Examiner should be directed to Siegfried Chencinski whose telephone number is 703-305-6199. The Examiner can normally be reached Monday through Friday, 9am to 6pm. If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's supervisor, Hyung S. Sough, can be reached on 703- 308-0505.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Receptionist whose telephone number is (703) 308-1113.

Any response to this action should be mailed to:

*Commissioner of Patents and Trademarks Washington D.C. 20231*

*or faxed to:*

(703)872-9326      *[Before Final communications, labeled "Box BF"]*

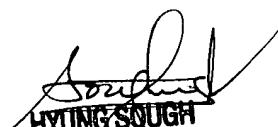
(703)872-9327      *[After Final communications, labeled "Box AF"]*

(703) 872-9325      *[Customer Service]*

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th floor receptionist.

SEC

September 25, 2003

  
HYUNG SOUGH  
SUPERVISORY PATENT EXAMINER  
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